

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document # 6

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Dana Foster

USCA NO. \_\_\_\_\_

-v-

SDNY NO. 07cv5844

JUDGE: DAB

DATE: 7/23/ 2007

Manshell et al  
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INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME) Nezam D.  
FIRM APPEALS SECTION  
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DISTRICT COURT DOCKET ENTRIES -----

DOCUMENTS

DOC#

\_\_\_\_\_  
Clerk's Certificate

\_\_\_\_\_  
See Attached List of Numbered Documents

\_\_\_\_\_  
Only Circled Documents Included

( ☒ ) Original Record

( ☐ ) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A  
for the Second Circuit on the 23<sup>rd</sup> Day of July, 2007.

**United States District Court for  
the Southern District of New York**

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Dana Foster

-V-

Manshell et al  
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Date: 7/23 / 2007

U.S.C.A. # \_\_\_\_\_

U.S.D.C. # 07cv5844

D.C. JUDGE DAB

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 5, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

**Date Filed**

**Document Description**


In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 23<sup>rd</sup> Day of July In this year of our Lord, Two Thousand and Seven, and the Independence of the United States this 232<sup>nd</sup> year.

**J. Michael McMahon, Clerk**

By  \_\_\_\_\_  
Deputy Clerk

APPEAL, CLOSED

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:07-cv-05844-DAB**  
**Internal Use Only**

Foster v. Manshell et al  
Assigned to: Judge Deborah A. Batts  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 06/20/2007  
Date Terminated: 06/20/2007  
Jury Demand: None  
Nature of Suit: 555 Prisoner: Prison Condition  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
06/20/2007	<u>1</u>	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Dana Foster. (jeh) (Entered: 06/28/2007)
06/20/2007	<u>2</u>	COMPLAINT against Louis R. Manshell, Sing-Sing Corr. Facility, State of New York. Document filed by Dana Foster. (jeh) (Entered: 06/28/2007)
06/20/2007		Magistrate Judge Douglas F. Eaton is so designated. (jeh) (Entered: 06/28/2007)
06/20/2007	<u>3</u>	ORDER OF DISMISSAL; Plaintiff's request to proceed in forma pauperis is granted, but plntff's allegations fail to state a claim on which relief may be granted and assert claims against defendants who are immune to suite. Thus, accordingly, the complaint, filed in forma pauperis under 28 U.S.C. 1915(a)(1), is dismissed pursuant to 28 U.S.C. 1915(e)(2)(B) (ii) (iii). The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Deborah A. Batts on 06/20/2007) (jeh) (Entered: 06/28/2007)
06/20/2007	<u>4</u>	JUDGMENT. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed. 28 U.S.C. 1915(e)(2)(B) (ii) (iii). We certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Deborah A. Batts on 06/20/2007) (jeh) (Entered: 06/28/2007)
07/09/2007	<u>5</u>	NOTICE OF APPEAL from [4] Judgment - Sua Sponte (Complaint). Document filed by Dana Foster. (tp) (Entered: 07/19/2007)
07/09/2007		Appeal Remark as to [5] Notice of Appeal filed by Dana Foster. \$455.00 APPEAL FEE DUE. IFP REVOKED 6/20/07.(tp) (Entered: 07/19/2007)
07/19/2007		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: [5] Notice of Appeal. (tp) (Entered: 07/19/2007)
07/19/2007		Transmission of Notice of Appeal to the District Judge re: [5] Notice of Appeal. (tp) (Entered: 07/19/2007)